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EXAMINER	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/802,700
Filing Date: March 17, 2004
Appellant(s): BLACKBURN ET AL.

Rodney L. Lacy
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 08/16/10 appealing from the Office action mailed 09/15/09.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application: 1-7, and 11-21.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the

subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

US 2001/0044339 A1	Cordero et al.	11-2001
6916247 B2	Gatto et al.	06-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cordero (US 2001/0044339 A1) in view of Gatto et al. (US 6916247).

Concerning claims 1, 6, 15 and 20, Cordero et al. discloses a method and system for providing a name service in a gaming network including gaming machines and a gaming client communicably coupled to the gaming network; a name service communicably coupled to the gaming network **[0044]** operable to: instantiating a name service on the gaming network **[0044]**; sending service information for the name service from the name service to a discovery agent on the gaming network **[0045]**, wherein the name service provides identification services using common names for devices on the gaming network to a plurality of gaming clients communicably coupled to the gaming network, the gaming clients including one or more gaming machines **[0046]**; determining if the name service is authentic and authorized **[0012/0036]**; in response to determining that the name service is authentic and authorized, publishing service information to a service repository to make the name service available on the gaming network **[0047]**; receiving by the discovery agent a request for the location of the name service from a gaming client **[0048]**; returning the service information for the name service to the gaming client **[0048]**; sending one or more service requests using the service information from the gaming client to the name service **[0048/0051]**; and processing the one or more service requests between the gaming client and the service **[0049]**, said service requests conforming to an internetworking protocol **[0029]**.

Cordero lacks teaching the system including wagering games and lacks teaching details of security and authentication. Gatto teaches wherein in response to a wager at a gaming machine of the plurality of gaming machines the gaming machine depicts indicia representative of a randomly selected outcome of a wagering game **[column 3,**

lines 20-51]. Gatto also discloses determining by the discovery agent if the name service is authentic and authorized **[column 2, lines 54-61]**. It would be obvious to one of ordinary skill in the art to substitute the authentication system and gaming devices as disclosed by Gatto into the name service gaming network disclosed by Cordero because the substitution of one known element for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Concerning claims 2 and 16, Cordero teaches that the name service comprises a web service **[0045]**.

Concerning claims 3-5, and 17-19, Cordero lacks teaching details of the service description language. Gatto teaches that the service request is formatted according to a service description language, that the service description language is a Web Services Description Language (WSDL), or that the service is registered in a UDDI registry **[column 15, lines 33-67]**. It would be obvious to one of ordinary skill in the art to substitute the specific service description language as disclosed by Gatto into the name service gaming network disclosed by Cordero because the substitution of one known element for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Concerning claims 7 and 21, Cordero lacks teaching details of the service location. Gatto teaches that the service is a local service in the gaming network **[column 14, lines 33-55]**; that the service is provided at a well known location, the well known location comprises a TCP/IP address and port **[column 3, lines 20-24]**; that the well known location comprises a message queue **[column 15, lines 63-67]**; the well

known location comprises a public method invokable by the gaming client **[column 15, lines 33-67]**. It would be obvious to one of ordinary skill in the art to substitute the specific service location as disclosed by Gatto into the name service gaming network disclosed by Cordero because the substitution of one known element for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Concerning claims 11-14, Cordero lacks teaching details of file name binding. Gatto teaches returning a binding to the gaming client, wherein the binding comprises a TCP/IP binding, a URL binding, or a file name binding **[column 14, lines 3-8]**. Gatto teaches a plug and play binding, however, discloses other binding protocols may be used as well. One skilled in the art would know to substitute TCP/IP, URL, file name, or plug and play as they are obvious variants of one another. It would be obvious to one of ordinary skill in the art to substitute the file name binding as disclosed by Gatto into the name service gaming network disclosed by Cordero because the substitution of one known element for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

(10) Response to Argument

In response to appellant 's argument that the references fail to show certain features of appellant's invention (pages 14-15 of the Brief), it is noted that the features upon which appellant relies (i.e., the terms "discovery service" or "discover") are not recited in the rejected claim(s). The claims recite "sending service information for the

name service from the name service to a *discovery agent* on the gaming network." Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Appellant argues "sending service information for the name service from the name service to a discovery agent on the gaming network" from claim 1 are not disclosed by Cordero. However, Examiner disagrees. Cordero teaches "sending service information (name of the device) for the name service from the name service to a discovery agent (ideal service finder) on the gaming network", see paragraph 0045. The ideal service finder provides functionality to identify and locate, via symbolic names provided in a database on the ideal service finder, various resources and other functionality not provided via the special purpose software on the client computer. During game play, the client computer may require information from a game server (sending service information for the name service from the name service) that can be provided to that player from a game server located on a public server (on the gaming network) that is geographically closer to the player than the game server in the primary data center. The ideal service finder functionality facilities the location of that closer game server (to a discovery agent). Therefore, even though Cordero does not use the term "discovery agent", Cordero teaches an ideal service finder which, lacking any clear distinguishing features, is read onto the claimed "discovery agent" as it carries out the same function as explained above.

Appellant argues Gatto teaches authentication of communications between devices and a server, however, does not mention authorization of any kind (pages 15

and 16 of the Brief). Examiner disagrees. Authentication and authorization go hand in hand. In this case, the examiner equates the step of authentication with authorization since at col. 10, lines 55-62 Gatto clearly teaches that his process will not proceed if the device/server is not authenticated. In other words, if the device/server is not authenticated it is not authorized. Gatto teaches the gaming system may further include a Certificate Authority and communications from the plurality of specialized devices to the central server may be authenticated by the Certificate Authority (see column 2, lines 58-61). By authenticating using the Certificate Authority, Gatto is inherently authorizing the communications as well. The combination of Gatto and Cordero, therefore read on the invention as claimed.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/M. K. R./

Examiner, Art Unit 3716

Conferees:

/Dmitry Suhol/

Supervisory Patent Examiner, Art Unit 3716

/David L Lewis/

Supervisory Patent Examiner, Art Unit 3714